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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/661,503 | 09/15/2003 | Yuji Hikawa | 117186 | 7409 |

25944     7590     07/24/2008
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| EXAMINER |
|---|
| LEE, PHILIP C |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2152 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 07/24/2008 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/661,503 | HIKAWA ET AL. |
| | Examiner | Art Unit | |
| | PHILIP C. LEE | 2152 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *18 April 2008*.
2a)☐ This action is **FINAL**.    2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-17* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-17* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☒ All   b)☐ Some *  c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/18/08*.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

1.      This action is responsive to the amendment and remarks filed on April 18, 2008.

2.      A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection.  Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114.  Applicant's submission filed on 4/18/08 has been entered.

3.      Claims 1-17 are presented for examination.

4.      The text of those sections of Title 35, U.S. code not included in this office action can be

found in a prior office action.

*Objection*

5.      Claim 5 is objected to because of the following: As per claim 5, line 6, "progress" should

be "progress of".

*Claim Rejections – 35 USC 101*

6.      Claims 1-2 are rejected under 35 U.S.C. 101 because "A service processing system"

comprising "an indication data creation part", "at least one execution apparatus", "a management

control part", and "a notice part" (i.e., software) does not include any functional structure of a

system (i.e., apparatus). "A service processing system" comprising "an indication data creation part", "at least one execution apparatus", "a management control part", and "a notice part" (i.e., software) can be considered as an apparatus comprising software (i.e., program per se), which is not one of the categories of statutory subject matter.

7.    Claims 5-17 are rejected under 35 U.S.C. 101 because "A device" comprising parts (i.e., software) does not include any functional structure of a system (i.e., apparatus). "A device" comprising parts (i.e., software) can be considered as an apparatus comprising software (i.e., program per se), which is not one of the categories of statutory subject matter.

8.    It is noted that "A system" /"A device" are lacking the necessary structural/mechanical element to be a system/a device (i.e., hardware) as claims appear directed solely to software elements/processes. Accordingly, the rejections are maintained.

*Claim Rejections – 35 USC 102*

9.    Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Yaung, U.S. Patent 7,069,536 (hereinafter Yaung).

10.    Yaung was cited in the previous office action.

11.     As per claim 1, Yaung teaches the invention as claimed in which specified multiple

processings of document data are processed in a cooperative manner on a network (col. 4, lines

37-46), comprising: an indication data creation part that creates indication data to indicate

multiple processings performed to document data (creates a workflow to define the sequence and

the order in which the nodes are processed) (col. 5, lines 23-53; col. 7, lines 10-19), and notice

condition data to indicate an event to be notified regarding progress of the multiple processings

(to notify a user when not completed) (col. 6, lines 20-38) and a way to notify the event (fig. 3;

col. 6, lines 9-13); at least one execution apparatus that performs the multiple processing based

on the indication data received from the indication data creation part (col. 3, lines 17-19, 32-38);

a management controller that manages the progress of multiple processings (manages the

execution of processes for the workflow defined, manages processes and states, communicates

with user of part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36); and a notice part

that sends a notice during the progress of the multiple processings based on contents recited in

the notice condition data received from the indication data creation part (sending notification,

col. 6, lines 31-34; col. 7, lines 55-59).

12.     As per claim 3, Yaung teaches the invention as claimed in which specified multiple

processings of document data are processed in a cooperative manner on a network (col. 4, lines

37-46), comprising: creating indication data to indicate multiple processings performed to a

document (creates a workflow to define the sequence and the order in which the nodes are

processed) (col. 5, lines 23-53; col. 7, lines 10-19), and notice condition data to indicate an event

(to notify a user when not completed) (col. 6, lines 20-38) to be notified regarding process of the

multiple processings and a way to notify the event (fig. 3; col. 6, lines 9-13); managing the

progress of the multiple processings (manages the execution of processes for the workflow

defined, manages processes and states, communicates with user of part of workflow) (col. 3,

lines 32-38; col. 7, lines 23-27, 34-36); and sending a notice during the progress of the multiple

processings based on contents recited in the notice condition data (sending notification, col. 6,

lines 31-34; col. 7, lines 55-59).

13.     As per claim 5, Yaung teaches the invention as claimed for managing progress of

multiple processings in a service processing system in which the multiple processings to

document data are processed in a cooperative manner on a network (col. 4, lines 37-46),

comprising: an indication data creation part that creates indication data to indicate the multiple

processings (creates a workflow to define the sequence and the order in which the nodes are

processed) (col. 5, lines 23-53; col. 7, lines 10-19), and notice condition data to indicate an event

to be notified regarding progress the multiple processings (to notify a user when not completed)

(col. 6, lines 20-38) and a way to notify an event (fig. 3; col. 6, lines 9-13); a management

control part that manages the progress of the multiple processings (manages the execution of

processes for the workflow defined, manages processes and states, communicates with user of

part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36); and a notice part that sends a

notice during the progress of the multiple processings based on contents recited in the notice

condition data received from the indication data creation part (sending notification, col. 6, lines

31-34; col. 7, lines 55-59).

14.    As per claim 6, Yaung teaches the invention as claimed for managing progress of

multiple processings in a service processing system in which the multiple processings to

document data are processed in a cooperative manner on a network (col. 4, lines 37-46),

comprising: an indication data reception part that receives indication data to indicate the multiple

processing (receives the sequence and the order in which the nodes are processed in a workflow)

(col. 5, lines 23-53; col. 7, lines 10-19), and notice condition data to indicate an event to be

notified regarding progress of the multiple processings (to notify a user when not completed)

(col. 6, lines 20-38) and a way to notify the event (fig. 3; col. 6, lines 9-13); a management

control part that manages the progress of the multiple processings (manages the execution of

processes for the workflow defined, manages processes and states, communicates with user of

part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36); and a notice part that sends a

notice during the progress of the multiple processings based on contents recited in the notice

condition data (sending notification, col. 6, lines 31-34; col. 7, lines 55-59).


15.    As per claim 7, Yaung teaches the invention as claimed in a service processing system in

which multiple processings to document data are processed in a cooperative manner on a

network (col. 4, lines 37-46), comprising: an indication data reception part that receives

indication data to indicate the multiple processings (receives the sequence and the order in which

the nodes are processed in a workflow) (col. 5, lines 23-53; col. 7, lines 10-19), and notice

condition data to indicate an event to be notified regarding the multiple processings (to notify a

user when not completed) (col. 6, lines 20-38) and a way to notify the event (fig. 3; col. 6, lines

9-13); a management control part that manages progress of the multiple processings (manages

the execution of processes for the workflow defined, manages processes and states,

communicates with user of part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36); and

a notice part that sends a notice during the progress of the multiple processings based on contents

recited in the notice condition data received from the indication data reception part(sending

notification, col. 6, lines 31-34; col. 7, lines 55-59).

16.     As per claims 2 and 4, Yaung teaches the invention as claimed in claims 1 and 3 above.

Yaung further teach comprising a notice form change part that varies the way to notify the event

recited in the notice condition data received from the indication data creation part in a case where

a specific user performs a processing different from the multiple processings indicated in the

indication data (in case when user modifies the defined workflow (e.g., changing or adding a

node to the workflow), the user can varies the setting used to notify the event associated with the

modified workflow) (col. 12, lines 11-15, 40-48).

*Claim Rejections – 35 USC 103*

17.     Claims 8, 12, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Yaung in view of Ouchi, U.S. Patent Application Publication 2003/0061266 (hereinafter Ouchi).

18.     Ouchi was cited in the previous office action.

19.    As per claims 8 and 13, Yaung teaches the invention as claimed in claims 6 and 7 above.

Yaung does not teach gives notice of execution completion.  Ouchi teaches sends the notice

when the multiple processings are completed ([0032]).

20.    It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Yaung and Ouchi because Ouchi's teaching of

notice of execution completion would enhance the notification mechanism in Yaung's system by

providing notification of task progress or completion in a workflow.

21.    As per claims 12 and 17, Yaung teaches the invention as claimed in claims 6 and 7

above.  Yaung does not teach sends a notice in a case where a pay server or service is about to be

executed.  Ouchi teaches sends the notice in a case where service which needs to be paid (e.g.,

must include fees for filing a permit application to the county) is about to be executed ([0033]

and [0024]) (message to initiate).

22.    It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Yaung and Ouchi because Ouchi's teaching of

notice in a case where a pay server or service is about to be executed would enhance the

notification mechanism in Yaung's system by providing notification of task progress or

completion in a workflow.

23.    Claims 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaung in view of Tarumi et al, U.S. Patent 5,918,226 (hereinafter Tarumi).

24.    Tarumi was cited in the previous office action.

25.    As per claims 9 and 14, Yaung teaches the invention as claimed in claims 6 and 7 above. Yaung does not teach notice in a case where progress different from progress of the job recited in the indication data occurs.  Tarumi teaches sending the notice in a case where a processing different from the multiple processings recited in the indication data occurs (col. 25, lines 38-49).

26.    It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung and Tarumi because Tarumi's teaching of sending a notice in a case where progress different from progress of the job recited in the indication data occurs would enhance the notification mechanism in Yaung's system by providing notification of task progress or completion in a workflow.

27.    Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaung in view of Ghaffar, U.S. Patent 7,200,860 (hereinafter Ghaffar).

28.    Ghaffar was cited in the previous office action.

29.    As per claims 10 and 15, Yaung teaches the invention as claimed in claims 6 and 7

above.  Yaung does not teach sends a notice in a case where an access to a file for a secret

document occurs.  Ghaffar teaches sending the notice in a case where an access to a file for a

secret document occurs (col. 4, lines 8-19).

30.    It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Yaung and Ghaffar because Ghaffar's teaching

of sending a notice in a case where an access to a file for a secret document occurs would

increase the security of Yaung's system by displaying a warning of an unauthorized access

attempt to system operator.

31.    Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaung

in view of Palekar et al, U.S. Patent Application Publication 2006/0005229 (hereinafter Palekar).

32.    Palekar was cited in the previous office action.

33.    As per claims 11 and 16, Yaung teaches the invention as claimed in claims 6 and 7

above.  Yaung does not teach sends a notice in a case where login to a specified server occurs.

Palekar teaches sending the notice in a case where login to a specified server occurs ([0033]).

34.    It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Yaung and Palekar because Palekar's teaching

of sending a notice in a case where login to a specified server occurs would increase the security

of Yaung's system by providing login information as a notification in order to determine user's

permission to access a server.


35.    Applicant's arguments filed 04/18/08 have been fully considered but they are not

persuasive.


36.    In the remarks, applicant argued that:

       (1)    Claims 1-2 and 5-17 are statutory subject matter.

       (2)    Yaung fails to teach creating notice condition data to indicate an

       event to be notified regarding progress of the multiple processings and a

       way to notify the event.


37.    In response to point (1), applicant's remarks on page 7 does not provides reference to the

specification for supporting the claim elements (e.g., execution apparatus, notice part,

management controller) as hardware.  Furthermore, in response to applicant's argument that a

network is structural (i.e., hardware), the network is not an element of the system as claimed, but

at most for use with the claimed system.  Accordingly, the rejections are maintained.


38.    In response to point (2), Yaung teaches creating notice condition data (creates a workflow

to define the sequence and the order in which the nodes are processed) (col. 5, lines 23-53; col. 7,

lines 10-19) to indicate an event to be notified regarding a node within the workflow (i.e.,

multiple processing of each node in the workflow) that is not performing an action (col. 6, lines

20-38; col. 9, lines 10-14). This means that the event to be notified is regarding to the action

perform by the node, which is part of the movement toward the completion of the workflow (i.e.,

progress of the multiple processings).

39.     A shortened statutory period for reply to this Office action is set to expire THREE

MONTHS from the mailing date of this action. Any inquiry concerning this communication or

earlier communications from the examiner should be directed to Philip C Lee whose telephone

number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM

Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-

3913. The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300. Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions

on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

/Philip C Lee/

Patent Examiner, Art Unit 2152